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| APPLICATION NO.  | FILING DATE     | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO.        |
|--|-----------------|----------------------|-------------------------|-------------------------|
| 09/829,170   | 04/09/2001      | A. L. Hagedoorn      | IO-1027-US              | 8264                    |
| 24923  | 7590 12/28/2001 |                      |                         |                         |
| PAUL S MADAN   |                 |                      | EXAMINER                |                         |
| MADAN, MOSSMAN & SRIRAM, PC<br>2603 AUGUSTA, SUITE 700 |                 |                      | LOBO, IAN J             |                         |
| HOUSTON, 7   | ΓX 77057-1130   |                      | ART UNIT                | PAPER NUMBER            |
|  |                 |                      | 3662                    |                         |
|  |                 |                      | DATE MAILED: 12/28/2001 | DATE MAILED: 12/28/2001 |

Please find below and/or attached an Office communication concerning this application or proceeding.

| 6; <del></del>  | Application No.   | Applicant(s)   |  |  |  |  |
|---|---|--|--|--|--|--|
|   |   |  |  |  |  |  |
| Office Action Summany   | 09/829,170  | HAGEDOORN ET AL.   |  |  |  |  |
| Office Action Summary   | Examiner  | Art Unit   |  |  |  |  |
| The MAN INC DATE of this communication on   | lan J. Lobo   | 3662   |  |  |  |  |
| The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  |   |  |  |  |  |  |
| A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). |   |  |  |  |  |  |
| Status  1) Responsive to communication(s) filed on  |   |  |  |  |  |  |
|   | — ·<br>his action is non-final.   |  |  |  |  |  |
| 3)☐ Since this application is in condition for allow  | Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. |  |  |  |  |  |
| Disposition of Claims   |   |  |  |  |  |  |
| 4) Claim(s) 1-47 is/are pending in the application.   |   |  |  |  |  |  |
| 4a) Of the above claim(s) is/are withdrawn from consideration.  |   |  |  |  |  |  |
| 5)⊠ Claim(s) <u>17 and 31-43</u> is/are allowed.  |   |  |  |  |  |  |
| 6)⊠ Claim(s) <u>1-16,18-30 and 44-47</u> is/are rejected.   |   |  |  |  |  |  |
| 7) Claim(s) is/are objected to.   |   |  |  |  |  |  |
| 8) Claim(s) are subject to restriction and/or election requirement.   |   |  |  |  |  |  |
| Application Papers  |   |  |  |  |  |  |
| 9) The specification is objected to by the Examiner.  |   |  |  |  |  |  |
| 10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.   |   |  |  |  |  |  |
| Applicant may not request that any objection to the   |   |  |  |  |  |  |
| 11)☐ The proposed drawing correction filed on is: a)☐ approved b)☐ disapproved by the Examiner.   |   |  |  |  |  |  |
| If approved, corrected drawings are required in reply to this Office action.  |   |  |  |  |  |  |
| 12) The oath or declaration is objected to by the Examiner.   |   |  |  |  |  |  |
| Priority under 35 U.S.C. §§ 119 and 120   |   |  |  |  |  |  |
| 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).   |   |  |  |  |  |  |
| a) ☐ All b) ☐ Some * c) ☐ None of:  |   |  |  |  |  |  |
| 1. Certified copies of the priority documents have been received.   |   |  |  |  |  |  |
| 2. Certified copies of the priority documents have been received in Application No  |   |  |  |  |  |  |
| <ul> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>   |   |  |  |  |  |  |
| 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  |   |  |  |  |  |  |
| a) The translation of the foreign language provisional application has been received.  15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.   |   |  |  |  |  |  |
| Attachment(s)   |   |  |  |  |  |  |
| 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2   | 5) Notice of In   | ummary (PTO-413) Paper No(s) formal Patent Application (PTO-152) . |  |  |  |  |

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-- Art Unit: 3662

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#### **DETAILED ACTION**

### Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 18, 19, 44, 45 and 47 are rejected under 35 U.S.C. 102(b) as being anticipated by the patent to McNeel et al ('652).

See col. 2, lines 32-49.

3. Claims 1-10, 20-30 and 46 are rejected under 35 U.S.C. 102(b) as being anticipated by the patents to Hall, Jr. ('464) or McNeel ('20).

The patents to Hall, Jr. and McNeel each discloses a geophone having a housing, two terminals and a magnet mounted within the housing. It is pointed out that with respect to independent claims 1, 20 and 46, the claimed limitation of two "sides" is show by the prior art references to Hall, Jr. and McNeel since two sides may be broadly interpreted as "two sides on one end". The instant claims do not distinguish between two sides and two ends.

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## Claim Rejections - 35 USC § 112

4. Claims 11-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 11, line 2, there is no antecedent for "the first end".

#### Allowable Subject Matter

- Claims 17 and 31-43 are allowed.
- 6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to lan J. Lobo whose telephone number is (703) 306-4161. The examiner can normally be reached on Mon Fri, 6:30 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Tarcza can be reached on (703) 306-4171. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 306-4195 for regular communications and (703) 306-4195 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-4177.

IAN J. LOBO PRIMARY EXAMINER